

BRITISH BOARD OF FILM CLASSIFICATION BBFC Classification Guidelines & Research Press Conference

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Andreas Whittam Smith (President BBFC):

Good morning everybody. The publication of our new Guidelines is a very, very important moment for us. This involved a very extensive consultation of public opinion, which resulted in the revision of our guidelines. It is an exercise which we are bound to carry out over two or three years as public opinion slowly shifts one way or another - and it does not always shift in the same direction!

If I were to summarise the research I would say that what the public have told us is, "We remain concerned about the effect of some of the things which children may see on the screen and the language they may hear, and so we wish you to be even more careful and a bit tighter with the very low age groups - 12, and U, and PG, and so on". They have said, "In the middle of the range, at 15, we think you could ease up a little bit on your rules about sexual explicitness". They have reminded us that young people from the early teens onwards actually know a lot about sex and what it means and we must not suppose that they are very protected. And as far as the 18 category is concerned, especially in the cinema, they have said, "We'd like you to back off, please". So the guidelines reflect those perceptions.

The outer limits of classification are given by the law, and there are laws which apply to us, in particular the Obscenity Acts, the Protection of Children Act and an Act which governs the use of animals in the making of films and, more remotely, there could well be considerations under the Race Relations Act, the Public Order Acts, or even the Blasphemy Act.

So if that is the outer boundary, what we have to do is reflect public opinion within those boundaries set by the law, and that is what we have tried to do, and that is what today's exercise is about. Robin.

Robin Duval (Director BBFC):

As Andreas has indicated, we have actually been through, I think, the most comprehensive public research and consultation exercise that any content regulator has engaged in. I think it is important to recognise that the public in general has endorsed the broad thrust of our guidelines, but has asked for certain things to be modified, and I use the word "modified" advisedly because we are not about to pass through a major watershed of change here. We are, it is true, looking for two specific kinds of changes, but they are not huge.

The first is that the public does not want adults to be nannied, and they do want us to be a little more flexible and open at the 18 level, particularly in relation to films.

The other key public concern is to protect children at the lower classification levels. One of the most interesting things that came out of this process is that we put to the public the question about whether they would like the 12, 15 and 18 categories to be advisory so that people can make their minds up as to whether it is appropriate for their children to see a film or not, or whether instead they should continue to be mandatory, as they are at present.

You are probably aware that the mandatory nature of our 12, 15 and 18 levels is not the norm in Europe or in the United States. However, the public's response to this, by a substantial majority, was that they did require them to continue to be mandatory, and so they will for some time in the future, until at least we get some indication that the public taste and requirement is moving in a different direction.

Moving to the kind of changes we are making in the guidelines, although we have responded to the public's desire for a more relaxed approach to 18, it will not be a case of "anything goes". If you look at the guidelines you will see that we are putting up flags in relation to extreme violence, to material which is extremely sexually explicit, and a strong concern about the portrayal of drugs in films. The concern really breaks down into the question of whether films might promote illegal drug activity, and the second related question of whether there is material in any film, and this would go right up to the 18 level, which provides dangerous and instructive information about drug taking.

At the lower levels I will add very little to what Andreas has already said, except to mention that there will be a tightening, not a huge tightening, of violence through what we call the "junior categories". There will be a tightening on bad language. But I think the spotlight there again falls most strongly on encouraging promotional portrayals of drugs in the junior categories.

James Morrison, The Daily Mail:

The sort of liberalising of the portrayal of sexual behaviour is something that has already been linked with the high rates of teenage pregnancies in the UK. Don't you think that this is an opportunity in light of the guidelines for the BBFC to sort of take the lead? There has been a lot of research over the last few years, and public health research. It is the 15 category and below, which causes concern

Andreas Whittam Smith:

The fact is that we have the highest number of teenage pregnancies in this country, I think, compared to most other countries. We also have the strictest censorship, by far - possibly in the world. We regulate up to 18; most countries regulate up to 17. Our age categories are mandatory. As Robin said, very few are mandatory elsewhere. We have the power to intervene. We require cuts, which other countries don't. We control the video market, which they don't in France, they don't in the United States, and we can refuse to licence a work, as we do sometimes, in the video market especially, and nobody else can. So we have the toughest guidelines in the world and we have the highest level of teenage pregnancies. So I think we have to be very careful before we assume a relationship between the two.

Anthony Barnes, Press Association:

You have relaxed the rules for restricted 18s. With the changes to the 18 category now, have you not reduced the old R18 to 18?

Robin Duval:

No, there is a very important distinction between R18 and 18. In fact there are quite a lot of distinctions, and they are set out in some detail in the guidelines themselves.

R18s are videos specifically directed at the sex market. What they are concerned about is devoting an entire video to sexual activity and portrayal. I think it is reasonable to say that there are no contextualising factors that justify those films except as a means of providing sexual satisfaction to the viewers. For that reason, R18s are restricted to licensed sex shops, of which there are a limited number in this country.

There is a category separate from that called "Sex Videos at 18", and perhaps the most significant distinction lies in the rubric that we attach to that in the guidelines. You will see that the difference between a sex video at 18 and a sex video at R18 is that at 18 the activity may only be simulated, at R18 it may be real.

David Lister, The Independent:

It is a very difficult call to make, isn't it, on whether a film just portrays violence or promotes violence? Tarantino's films, for example - if you have a glamorous figure like John Travolta being violent doesn't that give it a certain cache?

Robin Duval:

It is a difficult call to make. The nature of the call is the film as a whole. We are constantly being presented with films in which there is, from time to time, content which, if you took it out of the context of the film generally, you might find yourself concluding that it was promotional of violence. If we ever do find ourselves confronted by a film which, as a whole, we deemed to have that effect, then even at the level of 18, be contemplating taking possibly extreme action.

Andreas Whittam Smith:

You are right, David. Tarantino represents a class of either what we might call "stylized violence" or even "comic violence". It is very difficult. I have often thought if I ever had the misfortune to be mugged in the street I hope I have time to ask my assailant, "Is that stylized or is that comic, or is that just an ordinary bit of violence?!" I wonder if we can always be sure of the difference.

Tom Leonard, The Telegraph:

You said this covers videos as well. Is not the essential problem which remains about children? It has perhaps been compounded by the fact you are relaxing the other levels, that they still have access to videos, to videos which are watched by adults and are meant to be for adult use.

Andreas Whittam Smith:

This is always the basic problem with regulation of the video market. You can think of the video market as being, to a significant extent advisory. In the home it's advisory, in effect, because parents decide. Parents can quite rationally, because they know their children and children have different rates of development and so on. Parents can perfectly rationally allow a 12-year-old to watch a 15 video. There is a leakage; we know that. We know that in most families now, in the children's bedroom, there is not only a television but a video. And so you will find across the range that we are always more severe with video than we are with cinema, particularly with imitable techniques, because you can stop, start, and keep on running the same thing over and over again.

So our response to your point, which is a good one, is that on quite a number of occasions the video market will be more strictly rated than the comparable cinema films.

Robin Duval:

And you will find that principle endorsed again in the new guidelines.

Tom Leonard, Daily Telegraph:

Are the video regulations going to be tightened?

Robin Duval:

Video regulation has always been a bit tougher than cinema regulation precisely for the reasons that Andreas has spelt out. It is to do with our relative confidence in the gate-keeping efficiency of the two media, and we are not abandoning that principle with the present guidelines; in fact we are reinforcing it.

Andreas Whittam Smith:

To take your argument to absurdity, we would have to only allow Us in the video market, for the very reason you mentioned, and obviously we cannot do that. We have to remember that probably more people see films via the video in the home rather than through going to the cinema. That is the main way of seeing the output of film-makers, and we have to remember that. I do not know what proportion of homes are childless, but I think it is about 60 per cent, and we have got a lot of balancing to do here.

Steve Smith, Channel 4 News:

Can you think of any examples of sequences relating to drugs that you would now not pass, perhaps something from "Trainspotting"?

Robin Duval:

I think, since somebody mentioned Tarantino and "Pulp Fiction" a moment ago, if "Pulp Fiction" were to come to us for the first time now we would look at that scene in which John Travolta is seen in a car high on drugs with a little more concern than perhaps we did two or three years ago when it first came through to us. I have not seen that sequence for a little while. I cannot answer the question directly, "Would we cut it?" But I think that is the kind of thing which we would be focusing on.

Sarah Channon, Daily Express:

Can you think of an example of an 18 film which previously you would have felt needed to be cut in some way or perhaps you would not have given it a certificate at all which now would be given under the new guidelines?

Andreas Whittam Smith:

"Fight Club" we did slightly cut by seconds, and I guess we wouldn't now.

Robin Duval:

I think that is true. If I could just correct what may possibly be an assumption behind this. We did not throughout my first year here, 1998, reject any film for the cinema. Indeed, it is only during this year that we have rejected one, a particularly violent film, "The Last House on the Left", where there was a pretty incendiary mix of sex and violence. Whether we would feel more relaxed about that now as a cinema film, frankly I rather doubt, because that mix of sex and violence still features as a major concern in the guidelines.

Andreas Whittam Smith:

I think we should say, Robin, and you will correct me if I am wrong, that in the case of "The Last House on the Left" we suggested cuts to the film-maker and he refused to make

them. That was a sort of impasse.

Robin Duval:

I think that is important to say, yes.

Andreas Whittam Smith:

And so if he was to come back with the cuts then we would give the go-ahead.

Mimi Turner, Hollywood Reporter:

Can you give an example of particular things in past films about which you would have concerns now in the lower categories - say U films which you would now classify differently.

Andreas Whittam Smith:

I think it is going to be very hard now to get anything other than a sort of passing reference about drugs. Also as you know we here remain, unlike all other nations, extremely sensitive about language; there is a sort of enduring pattern here, and all research always confirms it.

Robin Duval:

We have anticipated this question, and we really think it is invidious to go back over previous classifications at the U or PG level which are in the market place. We don't have the power to pull them back in and reclassify them, and, in any case, what we are talking about - and Andreas and I have made this point previously - is not a major sea change. We are talking about a change of emphasis, and the most likely change, particularly at the lower levels, is where in the past the decision has been marginal should it be a U or a PG, or should it be a PG. or a 12 - and the decision finally was to go for the lower of the two categories. It is likely that in future we will more frequently go to the higher of the two categories instead.

Nick Higham, BBC Television News:

Can I ask about a recent film, "Saving Grace", which featured a lot of illegal drug use. What was that classified at, and would it perhaps ...

Robin Duval:

"Saving Grace" was classified at 15. The drug use you refer to was very soft drug use. It was all about cannabis. I do not know how many people here have seen it, but it was a sort of "Whiskey Galore" with cannabis as the theme rather than whisky. It was, certainly in our view, a rather sweet and innocuous movie, and the main characters were rather middle-aged and decayed, and we did not conclude at the end of viewing it, after quite a lot of discussion, that there was any serious threat of young people moving into illegal drug taking as a consequence of viewing it.

Nick Higham, BBC Television News:

You mean they'd seen it already?

Robin Duval:

No, I didn't mean that. I wondered whether they would be likely to see the movie at all, to tell you the truth, but that's another matter.

Andreas Whittam Smith:

It's now doing very well in the States, I think.

Fiachra Gibbons, The Guardian:

The thing I am slightly worried about is how elastic are the rules going to be on 15 to 18 sex? There's also the other end of 18, where Romance and the new wave of films which are very, very gritty, and their portrayal of sex is very realistic, and sometimes it is not to be justified if it corrupts and depraves.

Andreas Whittam Smith:

Rather than answering your question I am going to agree with you. If you make your question into a statement I would agree with you. The context is overwhelmingly important all the time, especially with sex, and it is very difficult sometimes to try and find the right solution. I felt strongly about Romance but I would like to cut out the existentialist talk rather than the explicit sex.

Robin Duval:

There are a few criteria which are very helpful to us here. Context at 15 is going to be particularly important, and the guidelines now talk about the context of loving and responsible relationships, and if that exists then it is going to be much easier for us to enable fairly frank portrayals at the level of 15, certainly easier than before. So there is a distinction there between 15 and 18 if you like.

Another important distinction is that we are never going to be able to pass at 18 material which it is quite clear would be in conflict with the Obscene Publications Act.

Mimi Turner, Hollywood Reporter:

Just going back to the issue of the younger age group, when you say it would be very hard to let anything in the U category with reference to drugs in. I remember on television there was Grange Hill for children ten years ago in which the characters did drugs.

Robin Duval:

This absolute constraint upon references to drugs at U is matched by a very slightly more relaxed approach at PG. Now, PG. is an open category too for children generally. I frankly, as an ex-television regulator, would not regard "Grange Hill" as a U. I might regard it as a PG.

The point about all this is that the classification signals to parents what the content is. It does not mean the children cannot go to see it. It means that parents are alerted to the fact that there may be content at the PG. level which would cause them concern, and then they can take their own action.

Andreas Whittam Smith:

I would just like to make one extra point. We have talked a little bit about 18, and I pay a lot of attention to the words on p.16, where we are explaining why we might intervene. For example, over:

"any detailed portrayal of violent or dangerous acts which is likely to promote the activity." Now, I lay a lot of stress on "is likely to promote the activity". To me those are the meaningful words in that statement.

Tom Leonard, Daily Telegraph:

Do you think these guidelines are likely to lead to calls for the BBFC to be dismantled and for the Government to ----

Andreas Whittam Smith:

There are no meaningful calls for the BBFC to be dismantled. It has been in business since 1912, and I can assure you that no Home Secretary in living memory has had the remotest desire to do this themselves, they absolutely do not. It suits them down to the ground for us to do it for them.

Tom Leonard, Daily Telegraph:

Why are they called guidelines? Why are they not rules?

Andreas Whittam Smith:

Because of the contextual point really. Everything is subject to the context in which these things are found. So "guideline" is a more appropriate word actually. It is an important point though. Of course every now and again people want us to be banished, and the anticensorship lobby of course would certainly wish to get rid of us lock, stock and barrel. But no government wishes to -- it is just a permanent fact about governments; they do not wish to do this stuff themselves, they do not want the resulting flak themselves. They would much rather have us wriggling under the public criticism.

One comment I noted when I saw the Home Secretary a few months ago, was when he said, "As you know, I never comment on individual decisions", and he absolutely never has, and I am sure never would.

James Morrison - Daily Mail

There is something I noticed at the end of the press release. You talked about the possibility of exploring a "12" category, an advisory one. The point is though if you took such a decision, (and I take your point that children develop at different rates and so on), then you are going to be giving parents an awful lot of responsibility. Is that not potentially dangerous?

Andreas Whittam Smith:

You may be right, and perhaps we will not go down that path. What we are signaling there is that we want to explore whether there is a case for making 12 advisory for the reasons given. Also as we move deeper and deeper into the electronic age - and who can tell exactly how it will go - it is perfectly plain that regulators more and more have to rely upon securing that more information is provided to consumers. If you provide them with sufficient information beforehand, which I do not think the industry does at the moment, then ultimately it will have to be advisory. Don't forget the video market already is essentially advisory, and there is nothing you can do about that. Also it is always salutary to know that the markets around the world are mainly advisory.

So all we want to do is start a debate, and we have a completely open mind about it. We would just like to see what people think and perhaps there will not be a very clear consensus, in which case we will do nothing; but let's start the debate.
